



# **Bay Area Clean Water Agencies**

*Leading the Way to Protect Our Bay*

*A Joint Powers Public Agency*

*P.O. Box 24055, MS 702*

*Oakland, California 94623*

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November 10, 2003

Mr. Bruce Wolfe, Executive Officer  
California Regional Water Quality Control Board,  
San Francisco Region  
1515 Clay Street, Suite 1400  
Oakland, California 94612

**Subject: BACWA Comments on NPDES Permit Tentative Order for the Delta Diablo Sanitation District**

Dear Mr. Wolfe:

On behalf of the Bay Area Clean Water Agencies (BACWA), I want to thank you for the opportunity to comment on the proposed NPDES permit for the Delta Diablo Sanitation District. The membership of BACWA is comprised of local governmental agencies that are leaders in urban water resource management and public stewardship of the Bay water quality. BACWA members own and operate publicly-owned treatment works (POTWs) that discharge to water of the San Francisco Bay Estuary. Together, BACWA's members serve over 5 million people in the nine county Bay Area, treating all domestic, commercial, and a significant amount of industrial wastewater. BACWA was formed to develop a region-wide understanding of the watershed protection and enhancement needs through reliance on sound technical, scientific, environmental and economic information and ensure that this understanding leads to long-term stewardship of the San Francisco Bay Estuary.

BACWA appreciates the open stakeholder process employed during the development of this permit. There are two outstanding issues, which are currently reflected in the permit language, that are of concern to the broad POTW community. We also wish to support and incorporate by reference the comments made by Delta Diablo Sanitation District on the Tentative Order.

The following are specific comments on the proposed Tentative Order:

**I. Full Secondary Treatment of Wet Weather Flow**

BACWA is greatly concerned with the language contained in the Delta Diablo Sanitation District permit that would in essence require secondary treatment of all flows even during periods of wet weather. This requirement would be a departure from long-standing policy of the San Francisco Regional Board and most Bay area agencies simply cannot comply with this requirement without significant and expensive modifications or

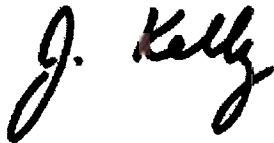
expansions to their current treatment facilities. The language basically renders blending useless to many POTWs. As an alternative, BACWA supports the concepts contained within other permits, such as EBDA's and the City of San Jose. BACWA recommends the following language: Blending of individual treatment processes is only allowed under the conditions stated in 40 CFR Part 122.41(m)(4) and in Standard Provisions A.13. Blending is allowable provided that the combined discharge of fully treated and partially treated wastewater complies with the effluent and receiving water limitations in this Order and the facility is operated during wet weather in a manner consistent with the design of the facility and according to the Operation and Maintenance manuals developed for the facility."

## **II. Frequency of Chronic Toxicity Monitoring Requirements**

BACWA supports a decrease in the frequency of effluent chronic toxicity monitoring being required for the Delta Diablo Sanitation District. It is reasonable and appropriate to reduce the frequency of monitoring to a level that is consistent with other dischargers to the San Francisco Bay. Instead of quarterly monitoring, the permit should be amended to require chronic toxicity monitoring twice per year.

Thank you for the opportunity to provide these comments. Please contact us at your earliest convenience if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Kelly". The signature is fluid and cursive, with the first letter "J" being large and prominent.

James Kelly  
Chair, Bay Area Clean Water Agencies

cc: BACWA Members  
Shin-Roei Lee  
Gayleen Perreira  
Gary Darling